

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARY MONROE,

Plaintiff,

-against-

CASE NO.:

07-CV-8777(GBD)(MHD)

**NOTICE OF MOTION TO  
DISMISS**

HYUNDAI OF MANHATTAN & WESTCHESTER,  
TOYOTA & LEXUS FINANCIAL SERVICES,

Defendants.

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**MOTION BY:** Defendant Toyota Motor Credit Corporation s/h/a Toyota & Lexus Financial Services ("Toyota")

**SUPPORTING PAPERS:** Affirmation in Support of Toyota's Motion to Dismiss of Michelle E. Tarson dated December 7, 2007 and the exhibits annexed hereto; Toyota's Memorandum of Law, dated December 7, 2007 and all prior pleadings and proceedings heretofore had herein.

**RETURN DATE, TIME AND PLACE:** At the United States District Court, Southern District of New York, at the Courthouse thereof, located at 500 Pearl Street, New York, New York 10007, before the Honorable George B. Daniels.

**RELIEF SOUGHT:** An order:  
(1) Dismissing plaintiff's complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6); and,  
(2) Granting Toyota such other and further relief as this Court deems just and proper.

**ANSWERING PAPERS:**

Pursuant to Local Rule 6.1(b), any opposing affidavits and answering memoranda shall be served within ten business days after service of these papers.

Dated: Syosset, New York  
December 7, 2007

SIMMONS, JANNACE & STAGG, L.L.P.  
Attorneys for Defendant

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